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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/643,800

08/19/2003

Edward Krainer

0192-PA

5188

7590

05/18/2006

CROMPTON CORPORATION

Benson Road

Middlebury, CT 06749

EXAMINER

SANDERS, KRIELLION ANTIONETTE

ART UNIT

PAPER NUMBER

1714

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/643,800

Applicant(s)

KRAINER ET AL.

Examiner

Kriellion A. Sanders

Art Unit

1714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Anderson, US Patent No. 5575951.

Anderson discloses a homogeneous, clear liquid stabilizer suitable for use in a vinyl chloride polymer comprising a liquid mixture of a metal soap stabilizer, for example, a mixture of a mixed barium/zinc soap stabilizer and solubilized metal perchlorate, for example, a barium perchlorate.

The "metal soap stabilizer" component comprises one or more metal salts of a carboxylic acid, particularly salts of saturated and unsaturated carboxylic acids having up to 22 carbon atoms.

The second major component is a solubilized metal perchlorate. The metal may be selected from metals from Group IA (e.g., sodium or potassium), Group IIA (e.g., barium or magnesium), Group IIIA (e.g., aluminum), Group IVA (e.g., tin or lead), or Group IIB (e.g., zinc or cadmium) of the Periodic Table of the Elements.

Solubilization of the perchlorate is preferably achieved by using a relatively high boiling polar oxygenated solvent. Representative solvents include tripropylene glycol, butylcarbitol, triethylene glycol, and butylene glycol.

Art Unit: 1714

Organophosphite esters may also be included in the composition. Representative esters of this class include triaryl phosphites such as triphenyl phosphite and tris (nonyl phenyl) phosphite; mixed alkyl aryl phosphites, such as diphenyl isodecyl phosphite, diphenyl isooctyl phosphite, phenyl di(isodecyl) phosphite, octylphenyl bis(iso-octyl) phosphite and trialkyl phosphites, such as tris(iso-octyl) phosphite, tris(isodecyl) phosphite, tris(iso-tridecyl) phosphite and tris(dipropylene glycol) phosphite. A further option is that acid phosphites, such as diphenyl phosphite, di(nonyl phenyl) phosphite and di(isooctyl) phosphite can be included in the composition.

The compositions may also contain conventional antioxidants. Representative antioxidants of this class include di-styrenated nonyl phenol, 2,6-di-t-butyl phenol, 2,2'-methylene bis (4-methyl-6-t-butyl phenol), 2,2'-bis-(4-hydroxyphenol) propane, octadecyl-3-(3',5'-di-t-butyl-4-hydroxy phenol) propionate, pentaerythritol tetrakis [3-(3', 5'-di-t-butyl-4-hydroxy phenol) propionate].

Lubricants such as oleic acid, lauric acid, isostearic acid, mineral oil, glycerol monooleate, glycerol mono-ricinoleate and butyl stearate are also optional constituents of the patented formulation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kriellion A. Sanders whose telephone number is 571-272-1122. The examiner can normally be reached on Monday through Thursday 6:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kriellion A. Sanders
Primary Examiner
Art Unit 1714

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